

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Aug 26, 2019

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Gary L. Mason

Case Number: 0980 2:08CR00141-RMP-1

Address of Offender:

Spokane, Washington 99202

Name of Sentencing Judicial Officer: The Honorable Fred L. Van Sickle, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Rosanna Malouf Peterson, U.S. District Judge

Date of Original Sentence: June 9, 2009

Original Offense: Possession with the Intent to Distribute 5 Grams or More of a Mixture or Substance Containing Cocaine Base, in the Form of Crack Cocaine, a Schedule II Controlled Substance, 21 U.S.C. § 841(a)(1)

Original Sentence: Prison - 96 Months; Type of Supervision: Supervised Release
TSR - 48 Months

Asst. U.S. Attorney: Caitlin A. Baunsgard

Date Supervision Commenced: June 16, 2016

Defense Attorney: Molly Marie Winston

Date Supervision Expires: June 15, 2020

PETITIONING THE COURT

To issue a **SUMMONS** and to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 02/15/2019.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

3 **Mandatory Condition # 2:** The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: Mr. Mason is alleged to have violated mandatory condition number 2 by driving without a valid license on or about August 12, 2019, based on law enforcement reports and the client's admission of such conduct.

On June 16, 2016, Mr. Gary Mason signed his conditions relative to case number 2:08CR00141-RMP-1, indicating he understood all conditions as ordered by the Court. Specifically, Mr. Mason was made aware by his U.S. probation officer that he was required to refrain from committing any federal, state, or local crime.

Specifically, on August 12, 2019, the undersigned officer received an automated notification from the Washington State Patrol indicating the client's name had been run by the agency. On August 13, 2019, the client left a voice mail for the undersigned officer, indicating he had been stopped and subsequently contacted by law enforcement for speeding 5 miles per-hour over the limit while on his way home from work. The undersigned officer returned the

client's phone call, at which time he reiterated the reason for his stop and further elaborated he was fully honest with the contacting law enforcement officer, to include his failure to have valid insurance, current tabs, or a valid license. The client advised, in response to his honesty, the officer did not cite him for any of the alleged violations.

On August 13, 2019, law enforcement records were received relative to this matter. According to the police report received, on August 12, 2019, at 1:57 a.m., Mr. Mason was observed by law enforcement to be traveling eastbound on Interstate 90 at a rate that exceeded the posted limit of 60 miles per-hour. The client's speed was verified by laser, at which time law enforcement determined him to be traveling at a rate of 84 miles per hour, or 24 miles per-hour in excess of the posted speed limit.

As a result of the contact, Mr. Mason was issued both criminal and a traffic citations. Mr. Mason was issued a criminal citation with respect to the charge of Driving While License Suspended in the 3rd Degree, in violation of R.C.W. 46.20.342.1C, a misdemeanor. It should be noted that according to the citation, the case was "referred to prosecutor," and as of the writing of this report, no such case appears to have been filed with respect to this matter. Mr. Mason was also issued a traffic citation for speeding 24 miles per-hour over the limit, for operating a vehicle without insurance, and for failing to maintain a current registration. As a result of these offenses, Mr. Mason received a total owed financial penalty of \$1,005.

The U.S. Probation Office respectfully recommends the Court to issue a **SUMMONS** and incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 08/26/2019

s/Chris Heinen

Chris Heinen

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☒ Defendant to appear before the Judge assigned to the case.
- ☐ Defendant to appear before the Magistrate Judge.



Signature of Judicial Officer

8/26/2019

Date